

REMARKS

This application has been carefully reviewed in light of the Office Action dated July 13, 2005. Claims 41 to 45 are now pending in the application, with Claims 1 to 40 having been cancelled, and Claims 41 to 45 having been newly-added. Claim 41 is now the only independent claim herein. Reconsideration and further examination are respectfully requested.

Initially, although Claims 1 to 40 have been cancelled, Applicant wishes to address the restriction requirement, which was made "final" in the Office Action. In this regard, Applicant believes the Examiner's reasons for maintaining the restriction are wholly misplaced in light of Applicant's arguments traversing the restriction. Specifically, the Examiner states "The traversal is on the ground(s) that the claims are linking claims the Groups are substantial similar in scope and content. This is not persuasive because Applicant elected the linking claims and not the apparatus. Thus, the analysis that Applicant supplied is not on point."

The foregoing reasoning is completely contradictory and incorrect. In this regard, Applicant pointed out that Claims 11 and 31, which were elected for prosecution, are linking claims to the Group I and IV claims because they are apparatus claims that include a "means for practicing the claimed process" of the Group I and IV claims. As such, Applicant elected the linking claims as correctly acknowledged by the Examiner, but contrary to the Examiner's assertion that Applicant did not elect the apparatus claims, Applicant did in fact elect the apparatus claims since Claims 11 and 31 are quite obviously directed to an apparatus for practicing the claimed process. Therefore, the Examiner's reasons for maintaining the restriction are not only contradictory, but wholly misplaced.

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Accordingly, reconsideration and withdrawal of the restriction are again respectfully requested.

Moreover, although Claims 11 and 31 were elected, the Examiner inexplicably withdrew Claim 31 from further consideration and did not issue an action on the merits for that claim. This is also contrary to the restriction and election of Claims 11 and 31 and Claim 31 should have received an action on the merits.

Applicant also notes that, since Claims 39 and 40 were added and include the elected invention of Claims 11 and 31, they also should have received an action on the merits. Therefore, the Examiner's failure to issue an action on the merits for these claims is also traversed.

Turning now to the merits of the Office Action, Claim 11 was rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,714,964 (Stewart) or alternatively under § 102(e) over U.S. Patent No. 6,886,028 (Matsuyama), and Claim 11 was rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,707,570 (Gotanda). Inasmuch as Claim 11 has been cancelled, the rejections are believed to be obviated. Nonetheless, newly-added Claims 41 to 45 are believed to be allowable for at least the reasons set forth below.

The present invention concerns controlling printing of a print order. According to the invention, a server receives a print order and information indicating a start time for when a print process of the order is to be started. The server stores the print order, and then later, when a designation is received from an external apparatus of a print order for which a print process is to be started, the print order is output to a print management apparatus.

Referring specifically the claims, independent Claim 41 is directed to an information processing apparatus which communicates with a print management apparatus

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via a network, comprising print order receiving means for receiving a print order, receiving means for receiving information designating a start time for starting a print process of the received print order, control means for effecting control so as to store the print order in accordance with the received information designating the start time of the print process, accepting means for accepting, from an external apparatus, a designation of at least one stored print order for which a print process is intended to be started, and outputting means for outputting the designated print order, which is stored by the control means, to the print management apparatus.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of the present invention, and in particular, is not seen to disclose or to suggest at least the feature of receiving a print order and information designating a start time for starting a print process of the received print order, storing the print order in accordance with the received information designating the start time of the print process, accepting, from an external apparatus, a designation of at least one stored print order for which a print process is intended to be started, and outputting the designated print order, which is stored by the control means, to a print management apparatus.

Stewart is merely seen to disclose using a port monitor and upload manager to upload a print job to a server where the job is stored in a database. However, Stewart is not seen to disclose that information designating a start time for starting a print process of the uploaded print job is uploaded to the server, or is received by the server. Accordingly, Stewart cannot perform the control and accepting steps of the claimed invention.

Matsuyama merely discloses setting up a print order and transmitting the print order to a server for processing. However, like Stewart, Matsuyama is not believed to disclose or to suggest that information designating a start time for starting a print process

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of the uploaded print job is uploaded to the server, or is received by the server.

Accordingly, Matsuyama also does not perform the control and accepting steps of the claimed invention.

Gotanda is merely seen to disclose a way for a user to upload a print job at an airport kiosk and have the print job printed out at another airport kiosk using their boarding pass. However, like Stewart and Matsuyama, Gotanda is not seen to disclose or to suggest that information designating a start time for starting a print process of the uploaded print job is uploaded to the server, or is received by the server. Accordingly, Gotanda also does not perform the control and accepting steps of the claimed invention.

In view of the foregoing amendments and remarks, all of Claims 41 to 45 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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